



LAW OFFICES
DAVID L. MAZAROLI
11 PARK PLACE
NEW YORK, NY 10007
E-mail: dlm@mazarolilaw.com
Telephone (212)267-8480
Telefax (212)732-7352

October 17, 2007

TELEFAX: (212)805-7924

Honorable Sidney H. Stein
United States District Judge
United States Courthouse
500 Pearl Street
New York, New York 10007

JOINT APPLICATION

RECEIVED
[Signature]

Re: Vigilant Ins. v. Bax Global,
07 Civ. 3373(SHS)
Our Ref.: 6C-1365

Dear Judge Stein:

I represent the plaintiff in this action which involves a claim for damage to a shipment of Lipitor which moved from Puerto Rico to Australia. The present discovery deadline is October 26, 2007. Counsel join in respectfully requesting permission to conduct discovery up to and including December 14, 2007. This is not a complicated case. However, unanticipated delays have been encountered by plaintiff with respect to attempts to obtain documents and information from foreign third-parties to address an affirmative defense asserted by defendants. Counsel believe that once the affirmative defense is addressed, it should be possible to reach a resolution of the claim one way or the other. This is the first request for an extension of the discovery deadline. Counsel also respectfully request that the October 26, 2007 conference be rescheduled on a parallel basis. The Court's attention and indulgence will be appreciated.

Respectfully,

David L. Mazaroli
dlm@mazarolilaw.com

Oct 26 w/b
rescheduled to
Dec 7 at 10 AM

cc: DeOrchis Weiner & Partners
Attn.: Richard Furman, Esq. (RFurman@marinelex.com)

SO ORDERED 10/18/07

SIDNEY H. STEIN
U.S.D.J.